

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>DOMINIC LEO KANE,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>No. 2:23-cv-00075-NT</b>
	)	
<b>MAINE DEPARTMENT OF</b>	)	
<b>HEALTH &amp; HUMAN SERVICES,</b>	)	
	)	
<b>Defendant</b>	)	

**RECOMMENDED DISMISSAL**

Pro se Plaintiff Dominic Leo Kane initiated this suit on February 22, 2023, and, at the same time, filed an application to proceed *in forma pauperis* (IFP). *See* ECF Nos. 1, 2. I denied Kane’s IFP application because it lacked certain required information and directed him to file a revised IFP application or pay this Court’s filing fee by March 8, 2023. *See* ECF No. 5. The Clerk’s Office mailed a copy of my order to Kane, but he did not pay the filing fee or file a revised IFP application by the deadline; nor has he done so since then.

Kane’s failure to pay the filing fee or file a revised IFP application warrants the dismissal of his action without prejudice. *See, e.g., Oliver v. Versant Power*, No. 1:21-cv-00225-JAW, 2021 WL 4942861, at \*1-2 (D. Me. Oct. 21, 2021) (rec. dec.), (dismissing a plaintiff’s case without prejudice where the plaintiff did not pay the filing fee or file an IFP application), *aff’d*, 2021 WL 5371550 (D. Me. Nov. 17, 2021); *Lazore v. Harrigan*, No. 1:21-cv-00239-GZS, 2021 WL 4761985, at \*1-2 (D. Me.

Oct. 11, 2021) (rec. dec.) (same), *aff'd*, 2021 WL 5182663 (D. Me. Nov. 8, 2021).

Accordingly, I recommend that this case be ***DISMISSED*** without prejudice.

**NOTICE**

***A party may file objections to those specified portions of a Magistrate Judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) for which de novo review by the District Court is sought, together with a supporting memorandum, within fourteen (14) days after being served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.***

***Failure to file a timely objection shall constitute a waiver of the right to de novo review by the District Court and to appeal the District Court's order.***

Dated: March 16, 2023

/s/ Karen Frink Wolf  
United States Magistrate Judge